

charged by Bro. P. with setting fire to his own store and the town in which he lived. The evidence as certified in the appeal shows that Bro. M. tried to settle the case with Bro. P.; that is, if Bro. P. would make a public retraction and pay his attorney's fees. This Bro. P. refused to do, and told him to crack his whip; whereupon, about five months after the alleged slander, Bro. M. issued a summons from the superior court in an action for slander. The charge preferred against Bro. M. was for bringing an action in a civil court before referring the matter to the lodge for settlement. In the trial no attempt was made to substantiate the charge that Bro. M. had set fire to his store and to the town in which he lived, no brother appearing as a witness against Bro. M. The lodge suspended Bro. M. for three months, basing its action on the ground that for one Mason to bring an action in a civil court against another Mason, without first submitting the matter to the lodge, was a violation of Masonic law. Your Committee, after careful investigation of the law as set down in the Code, and after examining Mackey and Chase on Masonic law, and getting the opinion of the brethren of this Grand Lodge well versed in Masonic law, are unable to find any Masonic law which forbids one Mason bringing an action at law against another Mason without first submitting the controversy to the lodge, and therefore recommend that the sentence of suspension as passed against Bro. M. be set aside, and that he be restored to full connection in ——— Lodge. (1904. Rep. 87.)

571. In the appeal from ——— Lodge, the appellant fails to comply with Article XIII, Section 8, of the By-laws, in that he has not sent up to the Grand Lodge any writing setting forth his grounds of appeal, and has failed to appear and prosecute his appeal; and notwithstanding this, even upon the merits of the case, the brother admitted upon trial that he had embezzled funds from a Knights of Pythias Lodge, and had been suspended by the Knights of Pythias Lodge. We therefore recommend that the action of ———